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Atty's Docket No. BUTCH 1

Applicant(s) : Eugene T. Butchma

For : BINDER APPARATUS

THE COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

Sir:

Herewith is the above-identified application for Letters Patent including:

- ☒ Specification and claims ☒ Verified statement(s) to establish small entity status under 37 CFR 1.9 and 37 CFR 1.27
- ☒ 9 Sheets Drawings ☐ Information Disclosure
- ☐ Formal ☒ Informal
- ☒ Declaration and Power of Attorney ☐ Preliminary Amendment
- ☒ A check in the amount of \$ 355.00 is attached.
- ☐ Please charge my Deposit Account No. 13-3402 in the amount of \$ _____ .
Two copies of this sheet are attached.

CLAIMS AS FILED					
	FOR	NUMBER FILED	NUMBER EXTRA	RATE	BASIC FEE \$ 355.00
	TOTAL CLAIMS	15 - 20=	0	x 18.00	0.00
	INDEPENDENT CLAIMS	2 - 3 =	0	x 78.00	0.00
	<input type="checkbox"/> Multiple Dependent Claim Presented				
			TOTAL FILING FEE		\$ 355.00

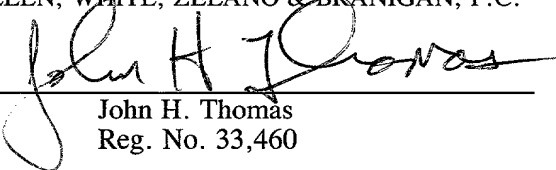
- ☐ The benefit under 35 U.S.C. §119 is claimed of the filing date of:
- ☐ A certified copy of the priority document(s) is attached.
- ☒ The Commissioner is hereby authorized to charge any deficiencies in payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 13-3402.
- ☒ Any filing fees under 37 CFR 1.16 for the presentation of extra claims.
- ☒ Any patent application processing fees under 37 CFR 1.17.
- ☒ The Commissioner is hereby authorized to charge payment of the following fees during the pendency of this application or credit any overpayments to Deposit Account No. 13-3402, two copies of this sheet are being enclosed.
- ☒ Any patent application processing fees under 37 CFR 1.17.
- ☒ The issue fee set in 37 CFR 1.18 at or before mailing of the Notice of Allowance, pursuant to 37 CFR 1.311(b).
- ☒ Any filing fees under 37 CFR 1.16 for presentation of extra claims.

Respectfully submitted,

MILLEN, WHITE, ZELANO & BRANIGAN, P.C.

DATE: October 6, 2000

BY:


John H. Thomas
Reg. No. 33,460

jc825 U.S. PTO
09/680303

10/06/00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Eugene T. Butchma

GAU:

SERIAL NO:

EXAMINER:

FILED: Herewith

FOR: BINDER APPARATUS

SMALL ENTITY DECLARATION - INDEPENDENT INVENTOR

As a below named inventor, I hereby declare that I qualify as an independent inventor as defined in 37 CFR 1.9(c) for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, to the Patent and Trademark Office with regard to the invention described in

- ☒ the specification filed herewith.
☐ the application or patent described above.

I have not assigned, granted, conveyed or licensed and am under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who could not be classified as either an independent inventor under 37 CFR 1.9(c) if that person had made the invention, a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

- ☒ no such person, concern or organization.
☐ persons, concerns or organizations listed below. (NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities, 37 CFR 1.27)

Full Name	Address	Individual	Small Business Concern	Nonprofit Organization

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate; 37 CFR 1.28(b).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Name

Signature

Date

9-14-00

00307-00000000

United States Patent Application

of

Eugene T. Butchma

for

Binder Apparatus

BACKGROUND OF THE INVENTION

Field of the Invention

The present invention relates to binder systems for containing papers, documents, media, or other items in removable relation to each other. More specifically, the present invention relates to an arrangement of binders within a notebook-style cover which results in an efficient use of space, materials, and an increased storage capacity, in both the binder and the binder storage location.

Description of the Related Art

Binders are well known devices for keeping various types of documents together. The most commonly used version, as seen in Figure 1, is a three ring notebook binder 10. In its most traditional embodiment, a cover 11 is provided having a first cover portion 12, a cover spine portion 13, and a second cover portion 14. The first and second cover portions 12 and 14, and the cover spine portion 13 are usually a rigid material (e.g. cardboard, plastic, or the like) and occasionally fabric covered or covered with other decorative means including padding. The first cover portion 12 and the cover spine 13 are connected by a first flexible hinge 15, and the cover spine and the second cover portion 14 are likewise connected by a second flexible hinge 16.

This enables the covers 12 and 14 to flex about the hinges 15 and 16 and be closed into a traditional book-style notebook.

Retaining the contents of the notebook is a three-ring binder 17 which is formed by a spine 18 (usually metal) having a plurality of split rings 19 which are openable and closable manually or via action of lever 20. In some embodiments, the split rings 19 are biased closed via a spring mechanism (not shown).

Various embodiments of the rings and binder are known. While three is the traditional number of split rings in a binder, more, or less are also known (e.g. US 5,042,841). Different shaped rings, e.g. a "D" shaped ring are known (e.g. US Patent 6,045,286; US 5,332,327) and different designs for the rings are known (e.g. D408,851).

Rings which slide within each other are known (US 4,765,768), as are wrap-around covers (US 4,139,216).

A plurality of covers with living hinges are also known (e.g. US Patent 6,030,140) and a flexible spine portion is disclosed in US 5,607,246.. Various means for attaching the binder mechanism to the cover are known (e.g US Patents 6,019,538; 5,964,544; 5,882,135).

Mounting the ring binder on the rear cover is likewise known (US 5,651,628; US 5,607,246; US 5,332,327), or about a hinge to serve as an opening-closing mechanism

(US5,028,159); as are different types of covers, such as a thermoplastic cover with grooves delineating a spine portion (US 5,620,207). A notebook which can act as a display stand is shown in US 5,332,327 and in US 4,335,821.

An expandable, double ring binder is disclosed in US 4,990,017, where the rings are mounted on the same cover spine portion.

While each of these patents illustrates a unique method for adapting a binder-type device to a particular use or convenience, none addresses the constant dilemma of preventing the waste of scarce shelf space and creating a stable, uniform binder apparatus which is attractive and functional. A solution to this problem is needed.

SUMMARY OF THE INVENTION

An object of the present invention is to provide a binder arrangement which is attractive and functional.

It is a further object of the present invention to provide a binder arrangement which results in the maximum efficiency in space utilization for the binder.

It is yet another object of the present invention to provide a binder arrangement with a plurality of binders in opposing relation to each other.

It is an additional object of the present invention to provide a binder which, when closed, presents an essentially parallel cover arrangement over any level of fill.

It is yet an additional object of the present invention to provide a binder arrangement, which, when placed in relation with other such binders, efficiently utilizes the space on a shelf or other storage area.

It is a further object of the present invention to provide a binder arrangement which is stackable in the vertical direction with other such binders in a stable and essentially upright manner.

It is yet an additional object of the present invention to provide for the storage of materials in a binder while providing a savings of materials while constructing the binder.

Other objects, features, and characteristics of the present invention as well as the methods of use of related elements will become more apparent upon consideration of the following description and the appended claims with reference to the accompanying drawings, wherein like reference numbers designate corresponding elements in the various figures.

BRIEF DESCRIPTION OF THE DRAWINGS

Figure 1 is a perspective view of the known prior art three-ring binder.

Figure 1A is a top elevation view of the binder shown in Figure 1.

Figure 2 is a perspective view of a preferred embodiment of the present invention.

Figures 3 and 3A are perspective views of other preferred embodiments of the present invention.

Figure 3B is a top elevation view of the binder shown in Figure 3A.

Figure 4 is a top elevation view of the embodiment of FIG. 3 illustrating the binder when filled with loose-leaf paper.

Figure 5 is a top elevation view of an alternate embodiment illustrating a D-Ring style binder with the binder mechanisms mounted upon the cover portions.

Figure 6 is a top elevation view of a still further embodiment of the present invention.

Figure 7 is a perspective view of another further embodiment of the present invention.

Figure 8 is a top elevation view of the binder shown in Figure 7.

Figure 9A and 9B are top elevation views of other further embodiments of the present invention.

DETAILED DESCRIPTION OF PREFERRED EMBODIMENTS

As shown in Figure 2, a preferred embodiment of a device according to the instant invention is designated generally by the reference numeral 21. The preferred embodiment includes three cover panels (first cover panel 22, central cover panel 23, and second cover panel 24) and two spine panels (25, 26), connected by four flexible hinges (27, 28, 29, 30). Each panel 22-26, or cover, has a top edge or side, a bottom edge or side, a first side edge, and a second side edge.

Affixed to each spine panel (25 and 26) is a binder device (31, 32) for releasably engaging articles to be held within the binder. Such articles may be paper (e.g. 8.5 X 11 inch paper punched with appropriate holes), or other articles which are desired to be retained in sequential alignment, such as photograph album pages, compact disc carrier pages, trial exhibits, etc.

In its presently preferred embodiment the binder 21 comprises a standard three ring binder with split-rings which are openable and closable. In the embodiment of Figure 2, the ring binders 31 and 32 are centrally disposed on each of the spine panels 25 and 26 and the central cover panel 23 is slightly wider (in the direction between the spines) than the documents, papers,

or other media to be contained within the binder 21. Thus, the various papers or other items contained in the binder apparatus 21 may lie against each other in a space-saving relationship.

In a particularly preferred embodiment, the binder mechanisms are mounted to one side of the spine panels, which are oversized as regards the binder mechanism. With reference to Figures 3 and 3A, it may be seen that spine panel 33 and 33' and spine panel 34 and 34' have the binder mechanisms 35 and 35' and 36 and 36' offset. Thus, when the binder is completely full and closed on both sides, the space-saving arrangement is clearly visible as seen in Figures 3B and 4 (corresponding to 3A and 2 respectively).

In Figure 4, first cover panel 41 acts as an external cover panel, first spine panel 42 has affixed in a lower position first binder mechanism 43 which is shown containing loose-leaf paper 44. First cover panel 41 is hingeably connected to first spine panel 42 via a flexible hinge member 45, such as a flexible plastic hinge, or a cloth binding element. First spine panel 42 is likewise hingeably connected to central cover panel 46 by a flexible hinge member 47. Central cover panel 46 is hingeably connected to second spine member 48 by flexible hinge member 49. Second spine member 48 has affixed to it in an upper position second binder mechanism 50, shown with loose leaf paper 51. Second spine member 48 is shown in this embodiment

hingeably connected to second cover panel 53 by flexible hinge element 52. As illustrated in Figure 3A, a second cover panel 53 in Figure 4 is not absolutely necessary.

In an alternative embodiment, the rings may be mounted upon the various cover panels using specially shaped rings. Turning to Figure 5, such an arrangement is contemplated. First D-Ring binder mechanism 55 is mounted upon first cover panel 54. The first D-Ring binder 55 contains loose-leaf style paper 56, and is located in a lower position when considering the binder 55 overall in the orientation displayed in figure 5. A second D-ring binder 57 is mounted upon central cover panel 58 and contains loose-leaf paper 59. The outer cover is constructed in a conventional manner, with the first cover panel 54 being hingeably connected to first spine panel 60, and first spine panel 60 being hingeably connected to central cover panel 58, and central cover panel 58 being optionally connected to second spine panel 61.

The materials for use in a binder arrangement according to the present invention may be selected from various conventionally used materials. If a hard binder is desired, suitable materials include a rigid board covered with a fabric, or a heavy gauge cardboard, plastics, or other suitable material with sufficient rigidity. A decorative cover, e.g. a layer of polypropylene imprinted with a design or a vinyl cover may also be used. Flexible covers, e.g. lightweight plastic such as vinyl, polyvinyl chloride or polypropylene may be used.

The binder mechanism as used in the present invention may be any of various conventional mechanisms. A traditional three-ring snap binder may be used, or binders which slide, screw, or lever open or closed may be used. More or fewer rings may be used, but it is preferred that at least two rings are used, although in certain applications a single holding device may be used. Clamps, clips, and other mechanisms for holding materials within the binder may be used.

The physical arrangement of the binder in the cover gives the inventive binder significantly improved properties over traditional binders, which, when closed, waste a significant amount of shelf space by virtue of excess spine space. In an embodiment of the invention, opposing binder rings help more efficiently utilize the space both within the binder space (from spine-to-spine) and longitudinally along the shelf space within which the binder may rest in association with other binders.

A particularly preferred binder which saves space and yields a very flexible format for presentation and organization is seen in Figure 6. Three different binder mechanisms 62, 63, and 64 are mounted in opposed configuration to provide an attractive and functional binder apparatus. The relative size of the rings may be adjusted to provide for one large binder in the

middle (e.g. 63, while the other two binders may be smaller (62, 64) to result in the same end result- an essentially parallel pair of outer covers.

In Figure 7, another alternate embodiment is seen. Notebook 65 is seen with a first cover portion 66 hingeably connected by a first hinge 67 to a first spine portion 68. Attached to the first spine portion 68 is a first binder 69. The first binder 69 is approximately parallel to the first hinge 67 and positioned closer to (proximate or proximal to) the first hinge 67 than the second hinge 70. This leaves an unoccupied space 71 on the first spine portion 6. Shown in phantom in this region are media (e.g. loose leaf paper or other media which could be held in first binder 69.

Second cover portion 72 is hingeably connected by third hinge 70 to first spine portion 68. Second cover portion 72 is, on an opposing side from second hinge 70, hingeably connected by third hinge 73 to second spine portion 74. Affixed to second spine portion 74 is second binder 75, located closer to third hinge 73 than to fourth hinge 76, which hingeably connects to third cover portion 77. Affixed to both third cover portion 77 and first cover portion 66 are additional fasteners 78 and 79, respectively. These fasteners 78-79 may be spring-loaded clips, adhesive fasteners, or any other suitable fasteners known in the art.

When the embodiment in Figure 7 is in the open position, it provides a readily accessible multiple binder notebook with access to 4 different media displays, for example, a scratch pad

may be affixed under additional fastener 79 for taking notes during a trial or deposition, exhibits from one side may be fastened within binder 69, exhibits from another side be fastened within binder 75, and additional notes or other documents be held in fastener 78. Pockets 81, 82, and 83 may be provided my manner known in the art, e.g. heat welding a vinyl pocket in place or by other means of affixation.

When the embodiment of Figure 7 is in the closed position, the loose leaf media may be folded on top of each other, and the covers sequentially closed, to result in the tidy, organized, and secure binder seen in Figure 8. As may be seen, the loose leaf media 84 and 85 are aligned in contiguous planes which provide for an effective and space saving storage of material. The alignment of media in contiguous planes is also evident in embodiments displayed in earlier figures. Still further embodiments are illustrated in Figures 9A and 9B.

While the invention has been described in connection with preferred embodiments, it should be understood readily that the present invention is not limited to the disclosed embodiment. Rather, the present invention is intended to cover various equivalent arrangements and is only limited by the claims which follow. One of skill in the art, having regard for this disclosure, can now readily envision many variations without departing from the scope of the claims which follow.

WHAT IS CLAIMED IS:

1. A binder apparatus comprising:

a first cover portion having a top edge, a bottom edge, a first side edge, and a second side edge,

a first spine portion having a top edge, a bottom edge, a first side edge and a second side edge, said first side edge being hingeably connected to a side edge of said first cover portion,

a second cover portion having a top edge, a bottom edge, a first side edge, and a second side edge, the first side edge of said second cover portion being hingeably connected to the second edge of said first spine portion,

said first cover portion, said first spine portion, and said second cover portion defining a notebook with a first side, a second side, a top side, and a bottom side, and

a plurality of binders, at least one of said plurality of binders being located near and approximately parallel to said first side of said notebook, and at least one of said plurality of binders being located near and approximately parallel to said second side of said notebook.

2. A binder apparatus as claimed in claim 1, further comprising

a second spine portion, said second spine portion having a top edge, a bottom edge, a first side edge, and a second side edge, and being hingeably connected to the second side portion of said second cover portion by its first side edge.

3. A binder apparatus as claimed in claim 1, wherein the binders are three-ring binders.

4. A binder apparatus as claimed in claim 1, wherein the at least one of said plurality of binders located near and approximately parallel to said first side of said notebook is attached to the first spine portion.

5. A binder apparatus as claimed in claim 4, wherein said first spine portion exceeds the first spine portion in width and the at least one of said plurality of binders located near and approximately parallel to said first side of said notebook is attached proximate to an edge of said first spine portion.

6. A binder apparatus as claimed in claim 1, wherein the at least one of said plurality of binders located near and approximately parallel to said second side of said notebook is attached to the second cover portion.

7. A binder apparatus as claimed in claim 2, wherein the at least one of said plurality of binders located near and approximately parallel to said second side of said notebook is attached to the second spine portion.

8. A binder apparatus as claimed in claim 2, further comprising a third cover portion hingeably connected to said second side of said second spine portion.

9. A binder apparatus as claimed in claim 1, wherein the cover and spine portion are rigid.

10. A binder apparatus as claimed in claim 1, wherein the cover and spine portions are flexible.

11. A binder apparatus as claimed in claim 1, wherein the cover and spine portions comprise plastic.

12. A notebook for holding loose media, comprising:

a first cover portion hingeably connected to a first spine portion to form a first hinge, a second cover portion hingeably connected to the first spine portion to form a second hinge, and a second spine portion hingeably connected to the second cover portion to form a third hinge,

a first binder attached to said first spine portion, said first binder being parallel to and near said first hinge while leaving an unoccupied space along said second hinge,

a second binder attached to said second spine portion, said second binder being parallel to and near said third hinge,

whereby, when said notebook is closed, said first and second binders are on opposing sides of said notebook and media contained in said binders are aligned with each other in contiguous planes.

13. A notebook as claimed in claim 12, wherein the first and second binders are three ring binders.

14. A notebook as claimed in claim 12, further comprising a third cover portion hingeably connected to the second spine portion to form a fourth hinge.

15. A notebook as claimed in claim 14, further comprising an additional fastening device on said third cover portion.

FIG. 1
(PRIOR ART)

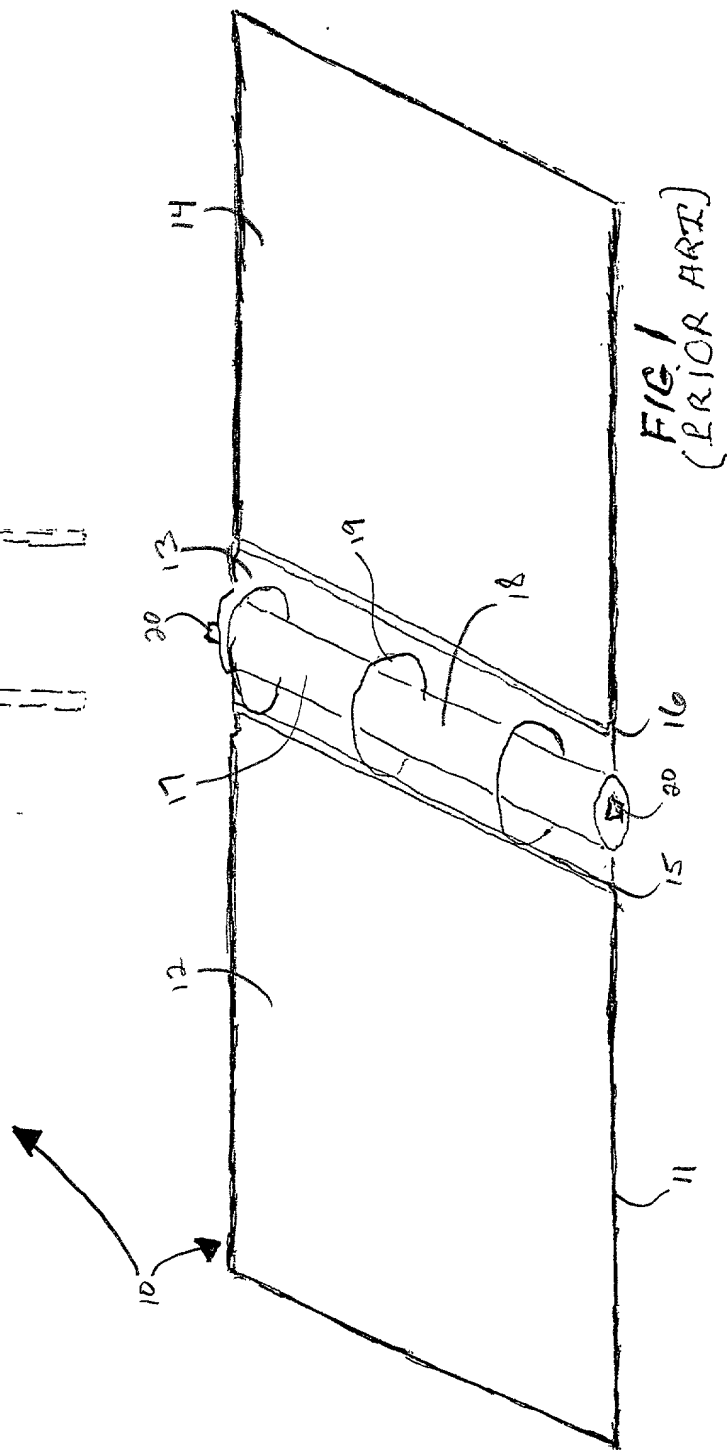
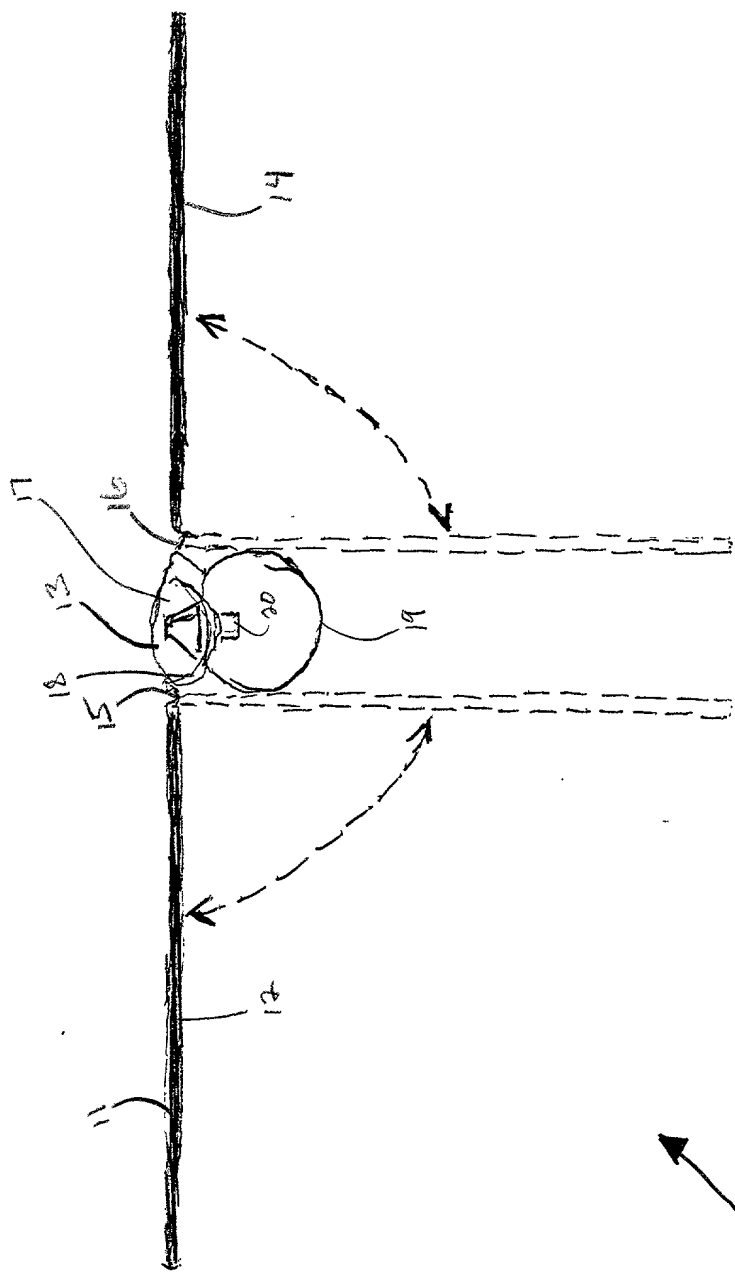


FIG. 1
(PRIOR ART)

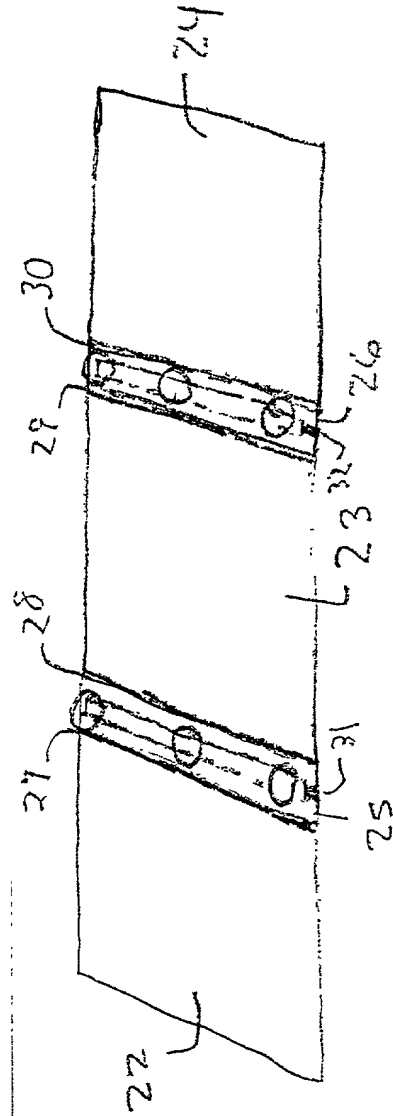
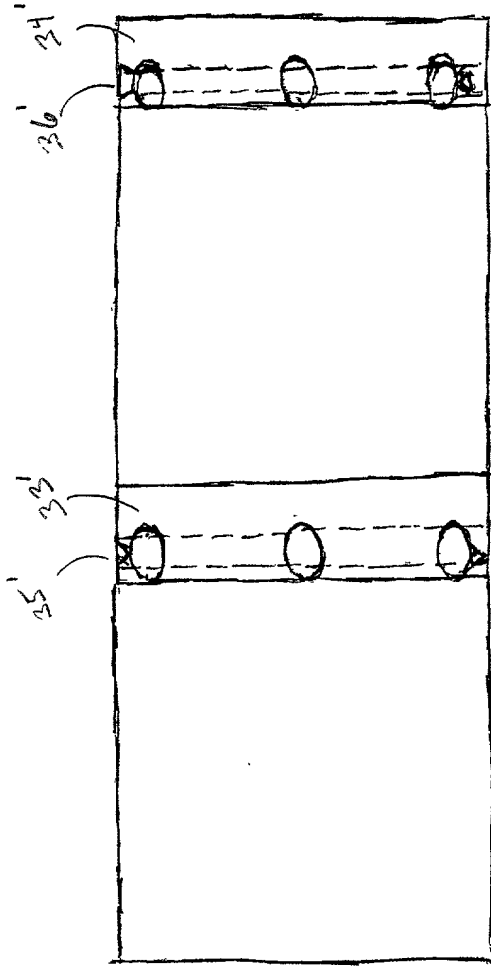


FIG. 2

127

FIG 3B

CONDENSED

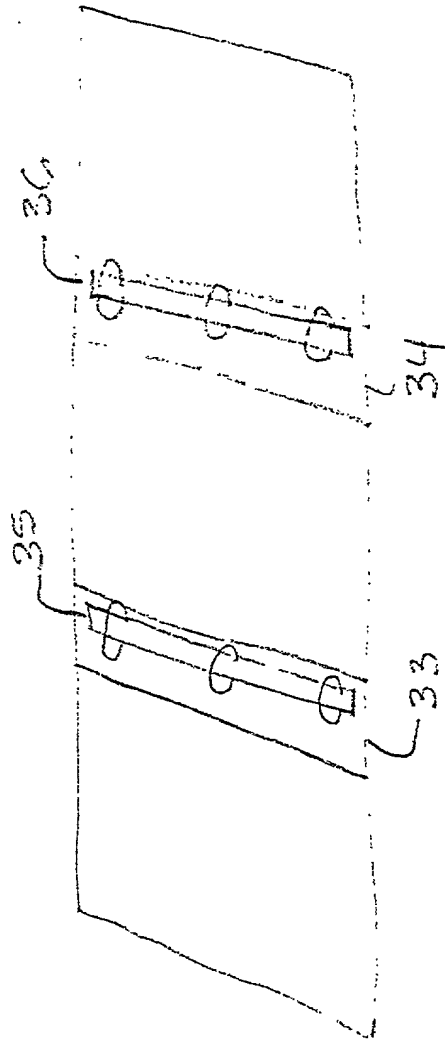
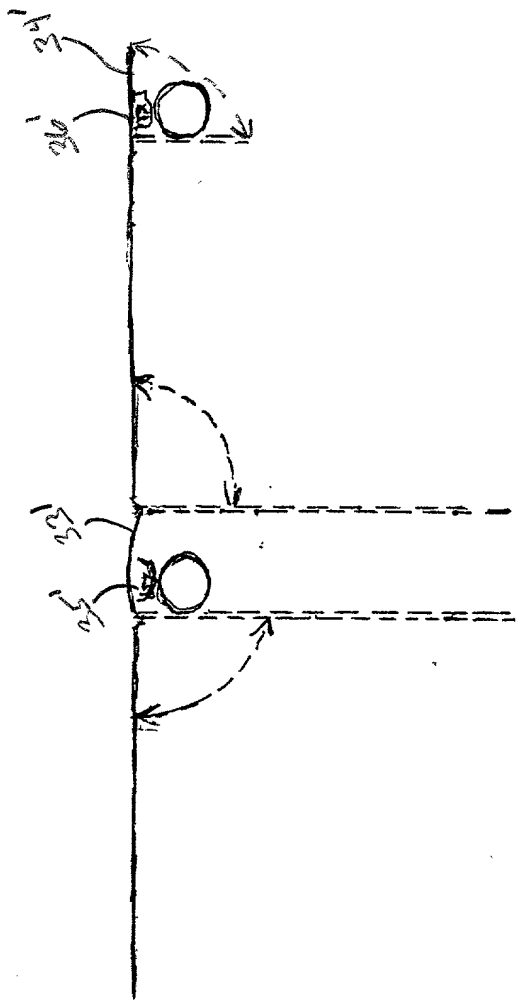


FIG 3

000007" 00000000

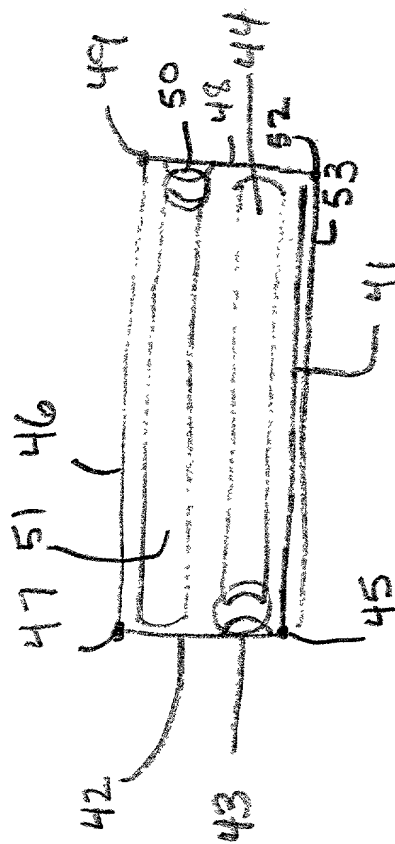


FIG 4.

005007" E0209950

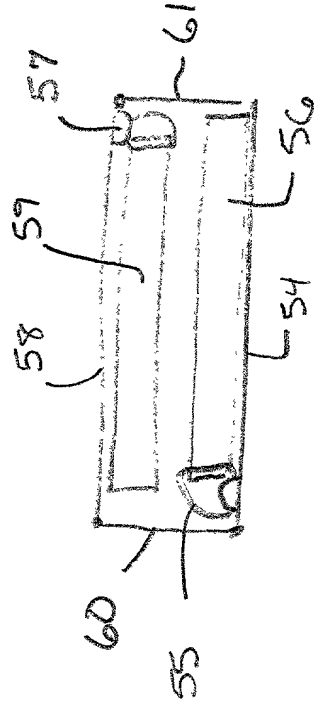


FIG. 5

000001" 00000000

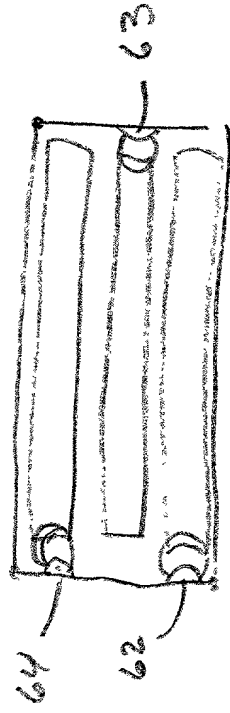


FIG. 6

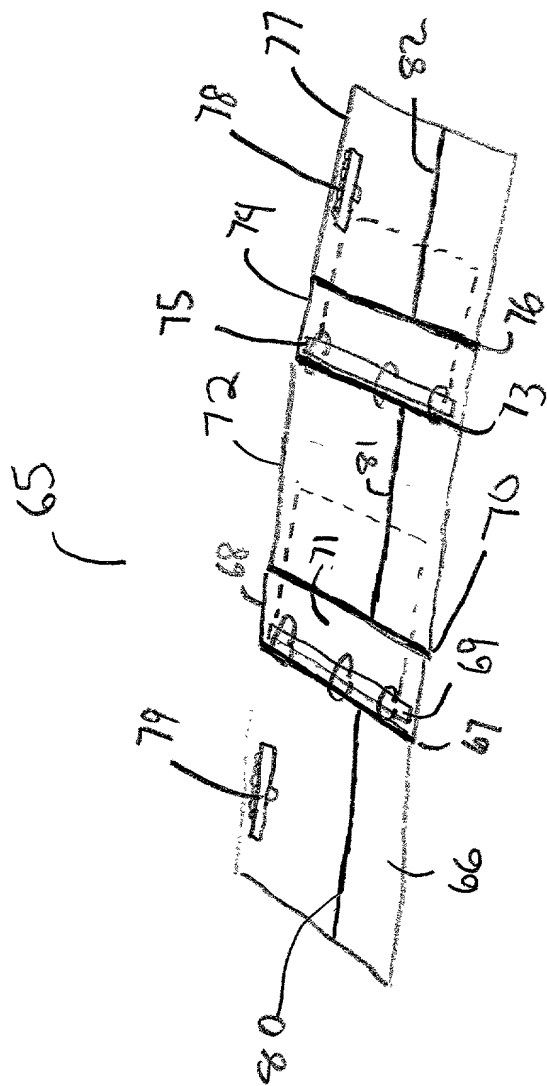


FIG. 7

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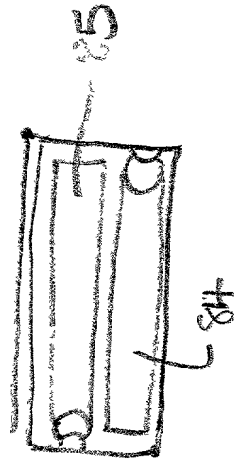


FIG 8

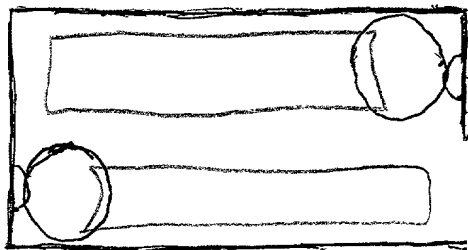


Fig. 9A

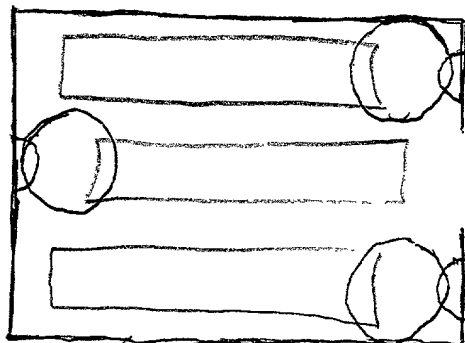


Fig. 9B

096603-10060

COMBINED DECLARATION FOR PATENT APPLICATION AND POWER OF ATTORNEY	ATTORNEY'S DOCKET NO: BUTCH 1
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As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought of the invention entitled:

BINDER APPARATUS

the specification of which is attached hereto.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a).

POWER OF ATTORNEY: As a named inventor, I hereby appoint I. William Millen (19,544); John L. White (17,746); Anthony J. Zelano (27,969); Alan E.J. Branigan (20,565); John R. Moses (24,983); Harry B. Shubin (32,004); Brion P. Heaney (32,542); Richard J. Traverso (30,595); John A. Sopp (33,103); Richard M. Lebovitz (37,067); and John H. Thomas (33,460) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

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FULL NAME OF INVENTOR	FAMILY NAME Butchma	FIRST GIVEN NAME Eugene	SECOND GIVEN NAME T.
RESIDENCE & CITIZENSHIP	CITY Queens Village	STATE OR FOREIGN COUNTRY New York	COUNTRY OF CITIZENSHIP United States of America
POST OFFICE ADDRESS	STREET 89-12 216 th Street	CITY Queens Village	STATE & ZIP CODE/COUNTRY New York 11427

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

SIGNATURE OF INVENTOR 	DATE 9-14-00
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